

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JUSTIN MARCUS ZINMAN,
Petitioner,
v.
JEFF MACOMBER,
Respondent.

Case No. 2:23-cv-2404-TLN-JDP

ORDER

Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 8, 2024, the magistrate judge filed findings and recommendations which were served on petitioner, and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court[.]"). Having reviewed the file, the Court finds the findings and recommendations to be supported by

1 the record and by the proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations, (ECF No. 26), are adopted in full;

4 2. The motion to vacate, (ECF No. 25), is denied; and

5 3. The motion for injunctive relief, (ECF No. 27), and the second motion to vacate or
6 amend the record, (ECF No. 30), are denied as moot.

7 DATE: December 5, 2024

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11 TROY L. NUNLEY
12 CHIEF UNITED STATES DISTRICT JUDGE
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